

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SUSANA A. GONZALES
Deputy Attorney General
4 State Bar No. 253027
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2221
Facsimile: (510) 622-2270
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. *2012-131*

12 **ELIZABETH ASHLEY MEADOWS**
13 **928 Pheasant Run**
Williamsburg, VA 23188
14 **Registered Nurse License No. 698746**

A C C U S A T I O N

15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about February 27, 2007, the Board of Registered Nursing issued Registered
23 Nurse License Number 698746 to Elizabeth Ashley Meadows (Respondent). The Registered
24 Nurse License expired on July 31, 2010, and has not been renewed.

25 JURISDICTION

26 3. This Accusation is brought before the Board of Registered Nursing (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code unless otherwise indicated.

1 Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that
2 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
3 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
4 Practice Act.

5 4. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
6 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
7 licensee or to render a decision imposing discipline on the license. Under section 2811,
8 subdivision (b), of the Code, the Board may renew an expired license at any time within eight
9 years after the expiration.

10 5. Section 118, subdivision (b), of the Code provides, in pertinent part, that the
11 expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary
12 action during the period within which the license may be renewed, restored, reissued or
13 reinstated.

14 STATUTORY PROVISIONS

15 6. Section 2761 of the Code states:

16 "The board may take disciplinary action against a certified or licensed nurse or deny an
17 application for a certificate or license for any of the following:

18 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

19 ...

20 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
21 against a health care professional license or certificate by another state or territory of the United
22 States, by any other government agency, or by another California health care professional
23 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
24 action."

25 CONTROLLED SUBSTANCES/DANGEROUS DRUGS

26 7. Code section 4021 states:

27 "'Controlled substance' means any substance listed in Chapter 2 (commencing with Section
28 11053) of Division 10 of the Health and Safety Code."

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CAUSE FOR DISCIPLINE

(Unprofessional Conduct – Out of State Discipline)
(Bus. & Prof. Code § 2761, subd. (a)(4))

13. Respondent has subjected her registered nurse license to disciplinary action under Code section 2761, subdivision (a)(4), in that on or about September 16, 2009, in a disciplinary action before the Virginia Board of Nursing (Virginia Board), the Virginia Board entered a Consent Order suspending Respondent's Virginia registered nurse license indefinitely. The Consent Order further provided that if Respondent were to petition the Virginia Board for reinstatement of her license, an administrative proceeding would be convened to determine her capability to resume the safe and competent practice of professional nursing.

14. The underlying conduct supporting the Virginia Board's disciplinary order is that from on or about February 2008, through August 10, 2008, while employed at Riverside Regional Hospital (Riverside) in Newport News, Virginia, Respondent diverted Fentanyl, Dilaudid, and Morphine for her own personal and unauthorized use. Although Respondent was out on sick leave beginning July 28, 2008, she returned to Riverside after that date and accessed the Pyxis machine in order to obtain drugs. The Pyxis machine is a security-controlled medication dispensing machine. Respondent resigned from Riverside on or about August 30, 2008. On or about August 22, 2008, the Department of Health Professions received a complaint alleging that Respondent may have violated certain laws and regulations governing professional nursing in Virginia. On or about September 5, 2008, Respondent entered a Participation Contract with the Virginia Health Practitioner's Intervention Program (HPIP), and on November 3, 2008, she entered a Recovery Monitoring Contract with HPIP. On or about December 12, 2008, the HPIP Committee granted Respondent a stay of disciplinary action on the August 2008 complaint. The HPIP Committee granted the stay with the expectation that Respondent would comply with the terms of her contracts with HPIP. On or about February 20, 2009, the HPIP Committee voted to vacate the stay of disciplinary action because Respondent had resigned from HPIP due to financial difficulties. The Virginia Board found that Respondent was unable to safely practice as

1 a professional nurse due to substance abuse and depression. Respondent signed the Consent
2 Order on or about August 5, 2009.

3 PRAYER

4 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
5 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 698746, issued to
7 Elizabeth Ashley Meadows;

8 2. Ordering Elizabeth Ashley Meadows to pay the Board of Registered Nursing the
9 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
10 Professions Code section 125.3; and

11 3. Taking such other and further action as deemed necessary and proper.
12
13

14 DATED: August 24, 2011

Stacie Ben
for LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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